

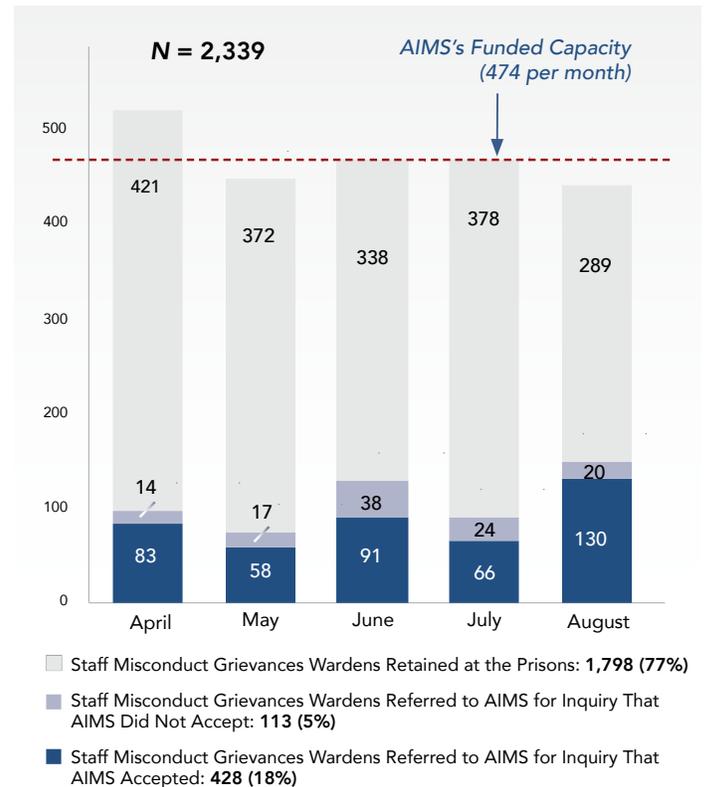


THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION: ITS RECENT STEPS MEANT TO IMPROVE THE HANDLING OF INCARCERATED PERSONS' ALLEGATIONS OF STAFF MISCONDUCT FAILED TO ACHIEVE TWO FUNDAMENTAL OBJECTIVES: INDEPENDENCE AND FAIRNESS; DESPITE REVISING ITS REGULATORY FRAMEWORK AND BEING AWARDED APPROXIMATELY \$10 MILLION OF ANNUAL FUNDING, ITS PROCESS REMAINS BROKEN

## Wardens Undermined the Purpose of AIMS by Not Referring Grievances to AIMS; Instead, They Assigned Prison Staff to Perform Inquiries Into 77 Percent of Staff Misconduct Grievances

- The department instructs wardens not to refer six serious types of misconduct to AIMS.
  - For example, allegations that staff engaged in sexual misconduct or falsified a rules violation report against an incarcerated person.
- AIMS refuses to investigate allegations for several procedural reasons.
  - For example, grievances filed more than 30 days after the alleged incident occurred.
- The department's regulations require wardens to predict whether the alleged misconduct will result in discipline before referring a grievance to AIMS for an inquiry.

The Department's Budget Proposal Demonstrated AIMS Had Ample Capacity to Handle Staff Misconduct Grievances Filed During the Five-Month Period From April 1, 2020, Through August 31, 2020



## The Department Grossly Undercounted the Actual Number of Staff Misconduct Grievances by Allowing Wardens to Reclassify Allegations of Staff Misconduct to Routine Grievances

- For the three-month period between June 1, 2020 and August 31, 2020, grievance coordinators at the prisons determined 3,937 grievances contained allegations of staff misconduct.
- Wardens overruled 65 percent of the grievance coordinators' determinations, deciding that only 1,374 of these grievances contained allegations of staff misconduct.

## Wardens Rarely Found Merit in the Allegations They Resolved, Essentially Exonerating Their Staff More Than 98 Percent of the Time

- Of the 1,293 allegations the department resolved between June 1, 2020 and August 31, 2020, wardens determined a policy violation occurred in connection with only 22 allegations (2 percent).